

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
(Columbia Division)**

PLANNED PARENTHOOD SOUTH
ATLANTIC, on behalf of itself, its patients,
and physicians and staff, *et al.*,

Plaintiffs,

v.

ALAN WILSON, in his official capacity as
Attorney General of South Carolina, *et al.*,

Defendants.

Case No. 3:21-cv-00508-MGL

JOINT STATEMENT AS TO STAY

As directed by the Court via text order on June 15, 2021, the parties jointly submit the below statements and attached separate proposed orders holding either some or all proceedings in this Court in abeyance pending the U.S. Supreme Court's resolution of *Dobbs v. Jackson Women's Health Org.*, No. 19-1392.

The parties disagree about whether to hold all discovery in abeyance during the stay. The parties stipulate that the deadlines for all outstanding discovery requests are stayed while the Court resolves this disagreement.

While Plaintiffs do not believe that a stay is needed here, as the Court can resolve Plaintiffs' pending motion for summary judgment under binding law and on the undisputed material facts already in the record before the Court, Plaintiffs defer to the Court's preference and would stipulate to a stay of all motions and proceedings in this case, including discovery. As Plaintiffs have explained in prior submissions to the Court, no discovery is needed to resolve the only material factual issues in this case. Further, allowing discovery to proceed while merits proceedings are stayed would unnecessarily strain judicial resources and result in burdensome and potentially

duplicative discovery, including motions practice, between the parties. If the Court is inclined to let some discovery proceed, Plaintiffs respectfully submit that the Court would first need to resolve the Defendants’ pending Motion to Stay Scheduling Order & Summary Judgment Briefing, ECF No. 91, which raises this very question.

In Defendants’ and Intervenor’s views, discovery should proceed while the Supreme Court considers *Dobbs*. Forcing the State to wait another year to even begin the discovery process—while enjoining the operation of the important State law at issue—is unwarranted. *Cf. Maryland v. King*, 567 U.S. 1301, 1303 (2012) (Roberts, C.J., in chambers) (“Any time a State is enjoined by a court from effectuating statutes enacted by representatives of its people, it suffers a form of irreparable injury.” (cleaned up)).

Respectfully submitted,

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